

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

WILLIAM J. SAUTER, Plaintiff, v. MERCANTILE ADJUSTMENT BUREAU, LLC, Defendant.	CASE NO. 2:13-cv-152
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COMPLAINT

I. INTRODUCTION

1. This is an action brought by Plaintiff William J. Sauter for statutory and actual damages, costs of the action, a reasonable attorney's fee and all other damages allowed by law from Defendant for violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq.

II. JURISDICTION

2. Jurisdiction of this court arises under 15 U.S.C. § 1692k(d) and 28 U.S.C. §§ 1331 and 1337.

III. PLAINTIFF

3. Plaintiff William J. Sauter is a natural person residing in Rockville, Indiana.

IV. DEFENDANT

4. Defendant Mercantile Adjustment Bureau, LLC ("Mercantile") is a for-profit foreign limited liability company with its principal place of business in Williamsville, New York.
5. At all times referenced herein, Mercantile was operating as a debt collector as defined by 15 U.S.C. § 1692a(6).

V. STATEMENT OF FACTS

6. On or about September 7 and September 8, 2012, Mercantile sent Plaintiff letters attempting to collect an alleged debt previously owed to Discover Card in the amount of \$14,656.72.
7. The debt Plaintiff is alleged to owe arose from a transaction that was primarily for personal, family or household purposes.
8. Plaintiff does not owe \$14,656.72 on this alleged debt.

VI. CLAIMS FOR RELIEF

A. Fair Debt Collection Practices Act

9. Plaintiff repeats, re-alleges and incorporates by reference paragraphs one through eight above.
10. Mercantile violated the Fair Debt Collection Practices Act. These violations include, but are not limited to:
 - a. Falsely representing the character, amount and legal status of a debt, in violation of 15 U.S.C. § 1692e; and
 - b. Attempting to collect an amount not expressly authorized by the agreement creating the debt or permitted by law, in violation of 15 U.S.C. § 1692f.
11. As a result of the violation of the Fair Debt Collection Practices Act, Mercantile is liable to Plaintiff for his actual damages, statutory damages, costs, attorney fees and all other appropriate relief.

WHEREFORE, Plaintiff respectfully requests that the Court enter judgment in his favor and against Defendant in an amount that will compensate him for his actual damages, statutory damages, costs, attorney fees and all other appropriate relief.

Respectfully submitted,

s/Robert E. Duff

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